

IPW

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Helene Habel

Date: February 6, 2006

**MAIL STOP AMENDMENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:  
Yasuhiko Takahashi *et al.* :

Conf. No.:	8239	:	Group Art Unit:	1645
Appln. No.:	10/618,320	:	Examiner:	Sharon L. Turner, Ph.D.
Filing Date:	July 11, 2003	:	Attorney Docket No.:	600630-7US (562399)
Title:	G PROTEINS, POLYNUCLEOTIDE ENCODING THE SAME AND UTILIZATION THEREOF			

**RESPONSE TO RESTRICTION REQUIREMENTS**

This is in response to the Office Action dated January 4, 2006. This response is being timely submitted by February 6, 2006 (February 4<sup>th</sup> being a Saturday).

The Office Action of January 4, 2006, required restriction of the claims of this application to one of twenty separately identified groups of inventions as noted at pages 2 and 3 of the Office Action. In addition, in item 4, at page 4 of the Office Action, election among a single designated nucleic acid composition or single polypeptide was also required, though this requirement was characterized in item 13 at page 6 of the Office Action, as a further restriction requirement, rather than as an election of species requirement.

Applicants hereby provisionally elect for prosecution in this application, with traverse, the subject matter of Group II, claims 7-17, 23, 24, 44, 45, 47-51 and 54, and hereby further provisionally elect, with traverse, the polypeptide identified by the amino acid sequence of SEQ ID NO:1.

The traverse of the restriction and election requirements is based on the following points. The nucleotide sequence of SEQ ID NO:2, recited in claims 7, 8, 11 and 12 of the elected Group II claims, should not be considered separate and distinct from the provisionally elected subject matter, since the nucleotide sequence of SEQ ID NO:2 encodes the polypeptide having the amino acid sequence of SEQ ID NO:1. Therefore, SEQ ID NO:2 is one of the species of "a nucleotide sequence encoding the amino acid sequence represented by SEQ ID NO:1" recited in claim 7 of Group II. Accordingly, reconsideration and withdrawal of this restriction requirement are respectfully solicited.

It is respectfully requested to include claim 46 in Group II, since claim 46 depends from claim 44, as do claims 45, 47 and 48, which were already included within Group II.

It is also requested that claim 52 be grouped with claim 49 in Group II, since claim 52 depends from claim 49, as does claim 50, which was already included in Group II.

Applicants respectfully submit that the methods for screening for a substance capable of regulating a signal transduction mediated by a G protein-coupled receptor and a G protein claimed in claims 33-39 of Groups IX – XV is not separate and distinct from the subject matter of elected Group II, in that each of claims 33-39 refers to the use of the recombinant vector according to claim 13, which is part of Group II. These claims, in essence, are method or process of use claims and should be considered together with the other claims of provisionally elected Group II.

Furthermore, as noted in item 14, since the Office Action required restriction between product and process of use claims and Applicants elected the product claims, if a product claim is subsequently found to be allowable, as expected, withdrawn process claims that depend from the allowed product claim will be rejoined as a matter of right in accordance with MPEP § 821.04. To assure that this rejoinder of right is satisfied, Applicants respectfully request the Examiner to rejoin claims 33-39 of Groups IX – XV when claim 13 of Group II is found allowable. Applicants respectfully request that the Examiner notify the undersigned attorney prior to issuing a Notice of Allowance to assure that the rejoinder is effected.

Reconsideration and withdrawal of the restriction and election requirements for the reasons set forth above, and particularly, inclusion of claims 46 and 52 in Group II are respectfully solicited. If the Examiner has any questions or wishes to discuss any other aspect of this response or application, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

*February 6, 2006* By: YASUHIKO TAKAHASHI et al.  
Alan S. Nadel  
(Date) **ALAN S. NADEL**  
Registration No. 27,363  
**AKIN GUMP STRAUSS HAUER & FELD LLP**  
One Commerce Square  
2005 Market Street, Suite 2200  
Philadelphia, PA 19103-7013  
Telephone: 215-965-1200  
**Direct Dial: 215-965-1280**  
Facsimile: 215-965-1210  
E-Mail: [anadel@akingump.com](mailto:anadel@akingump.com)

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